

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:22-cr-00089-MR-WCM**

| | | |
|----------------------------------|---|---------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | <u>ORDER</u> |
| |) | |
| ALEJANDRO REYES-CRUZ, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

THIS MATTER is before the Court on the Defendant’s “Motion for Sentencing Reduction” [Doc. 23] and the Defendant’s letter¹ [Doc. 24], which the Court construes as a motion for the appointment of counsel to assist him in seeking relief under Amendment 821 to the Sentencing Guidelines.

In November 2023, the Defendant filed a motion for a reduction of his sentence pursuant to Amendments 782 and 821 to the United States Sentencing Guidelines. [Doc. 19]. He further moved for the appointment of counsel. [Doc. 20]. The Court denied both motions on January 16, 2024. [Doc. 21; Text-Only Order entered Jan. 16, 2024]. The Defendant now renews his requests, asserting the same grounds. [Docs. 23, 24].

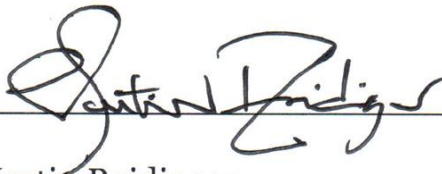
¹ The Defendant is admonished that, going forward, he cannot seek relief through the filing of letters; only motions will be ruled on by the Court.

For the reasons stated in the Court's prior Order [Doc. 21], the Defendant's request for a sentence reduction under Amendment 782 and/or Amendment 821 is without merit and is denied. As the Defendant is not entitled to relief under Amendment 821, his request for the appointment of counsel is also denied.

IT IS, THEREFORE, ORDERED that the Defendant's "Motion for Sentencing Reduction" [Doc. 23] and the Defendant's letter [Doc. 24], which the Court construes as a motion for the appointment of counsel, are both **DENIED**.

IT IS SO ORDERED.

Signed: April 1, 2024



Martin Reidinger
Chief United States District Judge

